

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS**

RYAN, LLC, *et al.*

Plaintiffs,

v.

FEDERAL TRADE COMMISSION,

Defendant.

NO. 3:24-CV-00986-E

**UNOPPOSED MOTION OF SMALL BUSINESS MAJORITY
AND EVAN STARR FOR LEAVE TO PROCEED WITHOUT
LOCAL COUNSEL**

Pursuant to Local Rule 83.10, proposed *amici curiae* Small Business Majority and Evan Starr (together, “*Amici*”), respectfully seek leave to proceed without local counsel for the limited purpose of filing a single *amicus* brief. *Amici* aver as follows in support of this Motion:

1. Proposed *amicus* Small Business Majority engages its network of more than 85,000 small businesses and 1,500 business and community organizations to deliver resources to entrepreneurs and advocate for public policy solutions that promote inclusive small business growth. Its constituents would be adversely impacted if the Federal Trade Commission’s Non-Compete Clause Rule, 16 C.F.R. Part 910 and 912 (May 7, 2024) (the “Rule”) were stayed, as noncompetes

inhibit finding talent, curb innovation, and represent an artificial restriction on mobility that curbs business growth.

2. Proposed *amicus* Evan Starr is an economist who has studied the effects of noncompetes substantially, whose work is cited by the FTC in its Rule more than a hundred times, and who is discussed by the parties and their *amici* in other briefs.

3. Therefore, *amici* intend to seek this Court's leave to file an *amicus* brief in opposition of Plaintiff and Plaintiffs-Intervenors' challenges to the Rule.

4. *Amici* respectfully request that the Court permit *amici* to proceed without local counsel. *Amici* intend only to file a motion for leave to file an *amicus* brief, and *amici*'s counsel has conferred with counsel for the named parties and they do not oppose this Motion.

5. Accordingly, *amici* expect that the Court will decide the motion on the papers and without a hearing. In light of *amici*'s limited participation in this case, *amici* respectfully request that the local counsel requirement be waived.

6. *Amici*'s counsel have reviewed the Local Rules for the Northern District of Texas and this Court's procedures.

7. Counsel for Plaintiff and Plaintiffs-Intervenors have taken no position on this motion. Counsel for the FTC consents to this motion.

CONCLUSION

The Court should grant *amici* leave to proceed without local counsel for the limited purposes described herein.

Respectfully submitted.

June 4, 2024

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/s/ Jamie Crooks

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CERTIFICATE OF COMPLIANCE

I hereby certify that on June 4, 2024, I conferred with counsel for Plaintiff, counsel for Plaintiffs-Intervenors, and counsel for the FTC regarding the above motion. Counsel for Plaintiff, Plaintiffs-Intervenors, and the FTC consent to the relief requested.

/s/ *Jamie Crooks*
Jamie Crooks

Dated: June 4, 2024

CERTIFICATE OF SERVICE

I certify that on June 4, 2024, I electronically filed this document using the ECF System, which will send notification to the ECF counsel of record.

/s/ Jamie Crooks
Jamie Crooks

Dated: June 4, 2024

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**[PROPOSED] ORDER GRANTING SMALL BUSINESS
MAJORITY AND EVAN STARR'S UNOPPOSED MOTION FOR
LEAVE TO WAIVE LOCAL COUNSEL REQUIREMENT**

Before the Court is the Small Business Majority and Evan Starr's Unopposed Motion for Leave to Proceed Without Local,

IT IS HEREBY ORDERED that the motion is granted, and *Amici* Small Business Majority and Evan Starr are excused from the requirement of Local Rule 83.10 to obtain local counsel.

Signed this ____ day of _____, 2024.

Ada Brown
United States District Judge